

Panaji, 31st August, 2006 (Bhadra 9, 1928)

SERIES II No. 22

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note:- There are three Extraordinary issues to the Official Gazette, Series II, No. 21 dated 24-8-2006 as follows:-

- 1) Extraordinary dated 24-8-2006 from pages 451 to 456 regarding Notifications from Department of Revenue.
- 2) Extraordinary No. 2 dated 25-8-2006 from pages 457 to 458 regarding Notifications from Department of Revenue and Department of Transport (Directorate of Transport).
- 3) Extraordinary No. 3 dated 29-8-2006 from pages 459 to 460 regarding Addendum from Department of Revenue.

GOVERNMENT OF GOA

Department of Co-operation

Office of the Goa State Agricultural Marketing Board

Corrigendum

No. GSAMB/280/ADM-2005/584

Read: Order No. GSAMB/280/ADM-2005/584 dated 30-10-2005.

In partial modification of above said order, Chairman of The Goa State Agricultural Marketing Board Margao, shall act as "Appellate Authority" instead of 'Administration' in respect of appeals against order passed by the State Public Information Officer.

Sunil N. Desai, Chairman, Goa State Agricultural Marketing Board.

Arlem, Raia, 22nd August, 2006.

V. No. 41692/2006.

Department of Forest

Order

No. 6-3-2006/FOR/310

Governor of Goa is pleased to order the transfer of Shri Suhas P. Vasta, ACF, working in Research and Utilization Division, Margao and post him at Sub-Divisional Forest Office, Quepem with immediate effect.

By order and in the name of the Governor of Goa.

Jessie Freitas, Under Secretary (Forests).

Porvorim, 17th August, 2006.

Department of Labour

Notification

No. 28/6/2005-LAB/445

The following Award passed by the Industrial Tribunal of Goa, at Panaji-Goa on 26-6-2006 in reference No. IT/58/04 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Hanumant T. Toraskar, Under Secretary (Labour).

Porvorim, 18th July, 2006.

IN THE LABOUR COURT – II GOVERNMENT OF GOA AT PANAJI

(Before Shri Suhas Naik, Hon'ble Presiding Officer)

Ref. No. IT/58/04

Shri Francis X. Fernandes
Opp. Holy Cross of Dane
Sanguem, Goa.

... Workman/Party I

V/s

M/s. Deodita Drinks
Sanguem, Goa.

... Employer/Party II

Workman/Party I – Represented by Shri P. Gaonkar

Employer/Party II – ex-parte

dated: 26-6-2006.

AWARD

The Government of Goa by order dated 24-11-2004 bearing No. 28/28/2004-LAB referred the following dispute for its adjudication:

"(1) Whether the action of the management of M/s. Deodita Drinks, Sanguem, Goa in refusing employment to Shri Francis X. Fernandes, Supervisor, with effect from 1-2-2003 is legal and justified?"

(2) If not, what relief the workman is entitled to?"

2. On receipt of the reference a case was registered under No. IT/58/04 and the registered A.D. notices were issued to the parties on 6-12-2004, fixing the case on 17-2-2005 at 10.30 a.m. On 17-2-2005 the workman/Party I (for short "Party I") remained present and filed the statement of claim at Exb. 3. None remained present for the employer/Party II (for short "Party II") though the notices were duly served on to the Party II. The registered A.D. slips on record in the file C suggest that the Party II has been duly served as the case is fixed on 10-3-2005. On 10-3-2005 Party I remained present, none appeared for Party II. The written statement is taken as not filed and case proceeded ex-parte against the Party II.

3. The Party I has filed its claim statement at Exb. 3. In the claim statement the Party I has stated that the Party II has illegally refused him employment with effect from 1-2-2003 and that the action of the Party II in refusing employment to the Party I is illegal and unjustified. It is the case of the Party I that he was employed with the Party II as a Supervisor since 1-1-1980. That though he was designated as a 'Supervisor' he was carrying out semi skilled and skilled work in the laboratory of the Party II under supervision of the chemist of Party II, in preparing the syrup for the manufacturing of soft drinks. That he was employed continuously from 1-1-1980 till 31-1-2003. That the last drawn salary of the Party I was Rs. 2000/- per month. That the action of Party II in refusing him employment is illegal and unjustified. That no retrenchment compensation, notice pay and gratuity was paid to him by the Party II at the time of refusal of employment. That the termination of his services is in violation of Section 25(f) of the Industrial Dispute Act, 1947. That since the termination of his services he is unemployed. The Party I prayed that he be reinstated back in service with full back wages and continuity in service.

None appeared for the Party II, as no written statement was filed by the Party II denying the claim of the Party I. There was no challenge made to the pleadings of the Party I. In the circumstances mentioned above the ex-parte evidence of the Party I was recorded. The Party I filed his affidavit in evidence and also produced the document to support his contention at Exb-. 4. The Party I has produced his letter of appointment in Form (xxx) under rule 35 at Exb. W-1. As per this letter of appointment it is mentioned that the Party I, Shri Francis Fernandes is appointed in the establishment of M/s. Deodita Drinks, Sanguem, Goa, with effect from 15-1-1980. The Party I has also produced a payment voucher at Exb. 3 for the month of October, 2002. In this payment voucher it is mentioned that the salary for October, 2002 of Shri Francis Fernandes is Rs. 2000/- and as he had obtained some advances, certain deductions were made from his salary. This document is not been challenged by the Party II. As such I hold that the Party I was employed with Party II as a Supervisor with effect from 15-1-1980 and his last drawn salary was Rs. 2000/- per month.

4. The Party I in his evidence has also stated that though he was designated as Supervisor, he was carrying out the work of skilled and semi skilled workmen in the laboratory of the Party II, under the supervision of the Chemist, in preparing the syrup for manufacturing of soft drinks. He has also stated in his affidavit that he had no powers to supervise any worker nor had any authority to sanction any leave of the worker. At this

stage it is necessary to refer to the judgment of the Supreme Court reported in 1950-83 SCLJ Vol. VI page 607 in the case of Anand Bazar Patrika Pvt. Ltd., V/s Workmen. In this case the Supreme Court has held that "to decide whether a person is a workmen or not what is required to be seen is the mere work carried out by the workmen and not the individual work done by him". Similar observations were made by the Bombay High Court in the case of S. A. Sarang V/s SWG Forge and allied Industries Ltd., reported in 1995 1 CLR page 837. In this case it is held that it is a settled law that its actual work done by an employee which is determinative whether he falls within the scope of the definition of workmen as defined under Section 2(s) of the Industrial Dispute Act, 1947 and not his designation. In the present case the Party I has categorically stated that he was doing the skilled and semi skilled work in the laboratory of the Party II, in preparing the syrup for the manufacturing of soft drinks of the Party II. Thus, his main work is preparation of syrup in the Party II factory, under the supervision of the Chemist. He also stated that he had no powers to supervise other workers or to sanction their leave. As such, I hold that the Party I is a "workman" as defined under Section 2(s) of the Industrial Dispute Act, 1947.

5. The other contention of the Party I is that when he went to resume for his duty on 1-2-2003 he was refused employment by the Party II and prior to his refusal of employment he had worked continuously with the Party II from 15-1-1980 till 31-1-2003. He has also contended that at the time of his refusal of employment he was not given one months wage in lieu of notice nor he was paid any retrenchment compensation and that it amounts to violation of provisions of Section 25(f) of the Industrial Dispute Act, 1947. The question is whether termination of service of the Party I amounts to "Retrenchment". Sec. 2(oo) of the Industrial Disputes Act, 1947 defines "Retrenchment". As per the said section retrenchment means termination of service of a workman otherwise than as a punishment inflicted by way of disciplinary action. The exceptions laid down under sec. 2 (oo) of the Act, are (a) Voluntary retirement of the workman or (b) retrenchment of the workman at reaching the age of Superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf, or (bb) termination of service of the workman as a result of the non-renewal of the contract between the employer and the workman concerned on its expiry or of such contract being terminated under the stipulation in that behalf contained there in or (c) termination of service of a workman on the ground of continued ill-health. The services of the workman were, not terminated as matter of Punishment inflicted by way disciplinary action. The workman's case also does not fall in any of the exceptions laid down under sec. 2(oo) of the Industrial Disputes Act, 1947. The Supreme Court in the case of Santosh Gupta V/s State Bank of Patiala reported in 1980 II LLJ 72 has held that every type of termination of service of a workman except of the type specifically excepted amounts to retrenchment. I therefore hold that the termination of service of the workman amounts to retrenchment within the meaning of sec. 2 (oo) of the Industrial Disputes Act, 1947.

6. The next question is whether the termination is illegal and unjustified as contended by the workman.

Sec. 25 F of the Industrial Disputes Act, 1947 lays down the procedure to be followed by the employer for retrenching the services of a workman. As per the said provisions the services of the workman who is in continuous service for not less than one year cannot be retrenched, unless he has been given one month's notice or paid wages in lieu of such notice and he has been paid compensation at the rate of 15 days average wages for each completed year of continuous service or any part thereof in excess of six months. The above conditions are conditions precedent to retrenchment. Sec. 25 B(2) of the Industrial Disputes Act, 1947 defines continuous service. As per the said provision a workman shall be deemed to be in continuous service under an employer for a period of one year if the workman during the period of 12 calendar months preceding the date with reference to which calculation is to be made has actually worked under the employer for not less than 190 days in the case of workman employed below ground in a mine and 240 days in any other case. In the present case, the Party I has produced in the evidence, the letter of appointment at Exb. W-1 which is gone unchallenged and I have already held that the Party I was employed with the Party II from 15-1-1980 to 31-1-2003. The entire statement and the evidence of the Party I has gone unchallenged. There is no evidence to show that from 15-1-1980 to 31-1-2003 the Party I was given break in the services at any time. It is therefore established that the Party I had worked with the Party II for more than 240 days prior to the refusal of his employment. Therefore, the provisions of the Industrial Dispute Act, 1947 is applicable to the Party I. The Party I in his evidence has stated that he was refused employment arbitrarily by the Party II with effect from 1-2-2003 and he was not paid one months wages in lieu of notice nor was paid retrenchment compensation. No challenge has been made to the statement made by the Party I. From the above, it is evident that the Party I was not paid one months wage in lieu of one months notice nor he was given any notice nor any retrenchment compensation was paid to him at the time of his refusal of employment. There is also no evidence to suggest that the retrenchment compensation was paid to the Party I. The payment of one months wages in lieu of notice and retrenchment compensation is a precondition for retrenchment. I therefore hold that the Party II has failed to comply with the provisions of Section 25 (f) of the Industrial Dispute Act, 1947.

7. It has been held by me that the refusal of employment to the Party I is in violation of the provisions of Section 25 (f) of Industrial Dispute Act, 1947. The Supreme Court in the case of M/s. Avon Service Production Agency Pvt. Ltd., V/s Industrial Tribunal, Hariyana and others reported in AIR 1970 SC 170 has held that giving notice and payment of compensation is a condition precedent for valid retrenchment and failure to comply with the same renders the order of termination invalid and in operative. Same principles are laid down by the Supreme Court in the case of Gammon India Ltd. V/s Niranjana Das, reported in (1984) 1 SCC 509. The Supreme Court has held in this case that in the absence of compliance with the requisite Sec. 25 F, the retrenchment bringing about termination would be

void-ab-initio. Since in the present case the Party I was refused employment without complying with the provisions of Sec. 25 F. of the Industrial Disputes Act, 1947, in view of the law laid down by the Supreme Court in the case of Ms. Avon Service Production Agency Pvt. Ltd., (Supra) and Gammon India Ltd., (Supra) the refusal of employment of the Party I by the Party II becomes illegal and unjustified. I therefore hold that the party I has succeeded in proving that the action of the Party II in refusing him employment with effect from 1-2-2003 is illegal and unjustified. Once it is held that the action of Party II in refusing employment to Party I is illegal and unjustified, the next question is what relief should be granted to him. The Bombay High Court in the case of Sayyed Anwar V/s Divisional controller, MSRTC Aurangabad and others reported in 2000 (2) Bom. L.C. 388 has held that it is well settled that if an order of dismissal or termination or retrenchment is set aside as illegal, improper, the normal relief of reinstatement with full back wages must follow, unless the employer pleads and proves and brings on record cogent material to enable the labour court to depart from the aforesaid normal rule. The Supreme Court in the case of State Bank of India v/s Sundera Money reported in AIR 1976 SC 1111 after holding that the termination of service of the workman was illegal for not complying with provisions of sec. 25 F of the I. D. Act, 1947 awarded reinstatement to the workman with full back wages.

Therefor, in view of the law laid down in the above referred cases, once the termination is held to be illegal and unjustified, the normal rule is that the workman is entitled to reinstatement in service with full back wages and continuity of service unless there are valid reasons for not granting reinstatement in service or full back wages.

In the present case there is no evidence on record to prove that the past service record of the Party I was not good or that he is in gainful employment from the date of termination of his service. I therefore, do not find any reason to deviate from the above normal rule.

In the circumstances, I hold that the Party I is entitled to reinstatement in service with full back wages and continuity of service.

Hence, I pass the following order.

ORDER

It is hereby held that the action of M/s. Deodita Drinks, Sanguem, Goa, in refusing employment to Shri Francis X. Fernandes, with effect from 1-2-2003, is illegal and unjustified. The Party I, Shri Francis X. Fernandes is ordered to be reinstated back in service with full back wages and continuity in service.

No order as to cost. Inform the Government accordingly.

Sd/-
(Suhas Naik),
Presiding Officer,
Labour Court-II.

Notification

No. 28/6/2005-LAB/468

The following Award passed by the Industrial Tribunal of Goa, at Panaji-Goa on 11-7-2006 in reference No. IT/21/95 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Hanumant T. Toraskar, Under Secretary (Labour).

Porvorim, 27th July, 2006.

IN THE LABOUR COURT – II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suhas Naik, Hon'ble Presiding Officer)

Ref. No. IT/21/2005

Shri Elias Fernandes,
H. No. 495, Asvem,
Mandrem,
Pernem-Goa.

... Workman/Party I

v/s

M/s. Hotel Dona Terezinha,
Calangute, Bardez-Goa.

M/s. Alfran Group of Hotels,
Candolim,
Bardez-Goa.

... Employer/Party II

Workman/Party I - Absent

Employer/Party II - Represented by Adv. Shri V. Menezes.

Panaji, dated: 11-7-2006.

AWARD

The Government of Goa by order dated 22-6-2005 bearing No. 28/12/2002-LAB referred the following dispute for adjudication.:

"Whether the action of the management of M/s. Hotel Dona Terezinha, Calangute, belonging to M/s. Alfran Group of Hotels, Pvt. Ltd., Candolim, Bardez-Goa, in terminating the services of their workman Shri Elias Fernandes, Room boy, with effect from 2-5-2003, is legal and justified ?

If not, to what relief the workman is entitled ?"

2. On receipt of the reference a case was registered under No. IT/21/2005 and registered A/D notices were issued to the parties requiring them to appear before this Court on 2-8-2005 at 10.30 a. m. Though both the parties were duly served with said registered A/D notice, none remained present on behalf of the workman as

well as on behalf of the employer and hence the case was adjourned to 25-8-05. On this date the workman/ Party I (for short, "Workman") remained absent whereas Adv. M. Conception holding for Adv. V. Menezes appeared on behalf of the Employer/Party II (for short, "Employer"). Subsequently, on account of superannuation of earlier Presiding Officer, the present case was taken up before this Court as per the order of appropriate Government dated 22-2-2006. Once again the Workman was issued Registered A/D notice whereas the Employer was served by hand delivery informing that the case was fixed before this Court on 24-3-06 at 10.30 a. m., for appearance. The Registered A/D notice issued to the workman was returned back with postal remarks "Unclaimed". Thereafter though several opportunities were given to the workman to file his statement of claim, on account of his continued absence, no statement of claim was filed. On 28-6-2006, Adv. Miss Conception, representing the employer remained present and submitted that both the parties have settle the dispute referred in the present order of reference and submitted that she will produce the copy of the settlement on the next date of hearing. Hence the case was fixed on 11-7-2006 for producing the copy of the terms of settlement. On 11-7-2006 Adv. R. D'Souza holding for Adv. V. Menezes remained present on behalf of the employer and filed an application at Exb. 3 along with the copy of the terms of settlement dated 16-12-2005 and prayed that no dispute award be passed. This application has been signed by the Personnel Manager of the employer and Adv. Shri Valmiki Menezes for the employer.

3. I have gone through the said application at Exb. 3 and the copy of the terms of settlement dated 16-12-2005 signed under Sec. 12(3) r/w Sec. 18(3) of the Industrial Disputes Act, 1947. The said settlement has been signed before the office of the Deputy Labour Commissioner on 16-12-2005 during the course of conciliation, by the workman Shri Elias Fernandes himself and Shri Raul D'Lima, Personnel Manager of the employer. I have verified the said terms of settlement dated 16-12-2005. In terms of the said settlement the workman has been paid Rs. 29,466/- towards full and final settlement of all his claims and both the parties agreed not to persue the present dispute which is the subject matter of the present reference. Clause 7, of the terms of settlement clearly mentions that the case pending under reference No. IT/21/2005, before this Court, stands conclusively settled in view of the said settlement. Hence the employer prayed that the reference be disposed of by passing a no dispute award.

6. The present reference was referred by the Government at the instance of the workman as he challenged the order of termination of his service. Since the dispute referred in the present order of reference No. IT/21/2005 stands settled, the dispute does not exist and consequently the reference does not survive in view of the settlement dated 16-12-2005.

In the circumstances, I pass the following order.

ORDER

It is hereby held that in view of the settlements dated 16-12-2005 signed between the parties, the dispute does not exist and hence the reference does not survive.

No order as to costs. Inform the Government accordingly.

Sd/-
(Suhas Naik),
Presiding Officer,
Labour Court-II.

Office of the State Directorate of Craftsmen Training

Order

No. 2/123/2006/EST/SDCT/7717

- Read: 1) Memorandum No. 2/123/2006/EST/SDCT/
/Part/C-15 dated 31-3-2006.
2) Order No. 2/123/2006/EST/SDCT/Part/
/694 dated 2-6-2006.

On the recommendation of Goa Public Service Commission vide its letter No. COM/I/5/28(1)/97/40 dated 3/2/2006, Government is pleased to appoint Shri Jaralika Sunil Maruti to the post of Principal, on temporary basis (Group B Gazetted) on an initial pay of Rs. 7,500/- in the pay scale of Rs. 7,500-250-12,000 with effect from the date he takes charge of the post on the terms and conditions laid down in the Memorandum referred to and posted in the Industrial Training Institute, Vasco.

The appointment is made against the post fallen vacant due to transfer of Shri Jose Mascarenhas to ITI Bicholim.

Shri Jaralika shall be on probation for a period of two years.

Shri Jaralika has already been examined by the Medical Board of the Goa Medical College, Bambolim and found medically fit.

The character and antecedents of Shri Jaralika have been verified by the Addl. District Magistrate, North Goa District Panaji and found good.

The expenditure is debited to the Budget Head "2230-Labour & Employment, 03- Training, 101-ITI, 04-ITI Centers/Craftsmen Training Scheme (Non-Plan) 01-Salaries.

This order supersedes Order No. 2/123/2006/EST/SDCT/Part/694 dated 2-6-2006.

By order and in the name of the Governor of Goa.

Aleixo F. da Costa, State Director of Craftsmen Training & ex officio Joint Secretary.

Panaji, 14th July, 2006.

Department of Personnel

Order

No. 7/5/92-PER(Vol.I)

- Read: 1) Memorandum No. 7/5/92-PER (Vol. I) dated 31-7-2002.
2) Government Order No. 7/5/92-PER (Vol.I) dated 11-11-2002.

On the recommendation of Departmental Promotion Committee as conveyed by the Goa Public Service Commission vide its letter No. COM/II/12/33(1)/06/206 dated 21-7-2006, Governor of Goa is pleased to extend the probation period of Dr. Subhas C. Marihal, Principal, Goa College of Pharmacy, upto 31-05-2007.

By order and in the name of the Governor of Goa.

Shivaji B. Dessai, Under Secretary (Personnel-I).

Porvorim, 14th August, 2006.

Order

No. 6/2/2002-PER (Part)

- Read:- Order No. 6/2/2002-PER (Part) dated 11-08-2006.

In partial modification of Order dated 11-08-2006, cited above, the Governor of Goa is pleased to order transfer and posting of the following Junior Scale Officers of Goa Civil Service, with immediate effect, in public interest:-

Sr. No.	Name of the Officer	Present posting	Posted on transfer
1	2	3	4
1.	Shri P. K. Velip Kankar	Dy. Collector, (Revenue) (North), Panaji	Dy. Collector, (Revenue) (South), Margao.
2.	Shri Ashok Redkar	Dy. Collector, (Revenue) (South), Margao.	Dy. Collector and D. R. O., (South), Margao.
3.	Shri Ashok V. Rane	Dy. Collector, and D. R. O., (South), Margao.	Dy. Collector (Revenue), (North), Panaji.

Shri P. K. Velip Kankar shall hold charge of Cumari Cultivation Cases, South, in addition to his own duties until further orders.

Shri Ashok Redkar shall hold charge of the post of Chief Officer, Cuncolim Municipal Council in addition to his own duties until further orders.

By order and in the name of the Governor of Goa.

Shivaji B. Dessai, Under Secretary (Personnel).

Porvorim, 16th August, 2006.

Order

No. 6/1/2005-PER

The Governor of Goa is pleased to order transfer of Shri G. H. Kenaudekar, Senior Scale Officer of Goa Civil Service, awaiting posting, and post him as Secretary, Goa Konkani Academy, with immediate effect, in public interest, thereby relieving Shri Gopalkrishna Padgaonkar, General Manager (DIC), of the additional charge.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 17th August, 2006.

Order

No. 6/2/2002-PER-Part

Shri N. B. Narvekar, Special Land Acquisition Officer, Mopa Airport Project, shall hold charge of the posts of Managing Director, Goa Education Development Corporation and Land Acquisition Officer, Goa State Infrastructure Development Corporation, in addition to his own duties, thereby relieving Shri G. P. Naik, Project Director, District Rural Development Agency (North), of the additional charge.

By order and in the name of the Governor of Goa.

Shivaji B. Dessai, Under Secretary (Personnel).

Porvorim, 17th August, 2006.

Order

No. 15/1/99-PER-Part.I

The Governor of Goa is pleased to transfer Shri Parag Nagarcenkar, Joint Mamlatdar, Salcete and post him as Mamlatdar, Sanguem with immediate effect in public interest. Consequently Shri Murari Bondre shall report to Personnel Department.

Shri Paresh M. Fal Desai, Joint Mamlatdar, Salcete shall hold the charge of the post of the Mamlatdar-in-Collectorate South, in addition to his own duties, until further orders.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 17th August, 2006.

Order

No. 6/18/97-PER

Read: i) Order No. 6/4/91-PER (Part) dated 26-12-1997.

ii) Order No. 5/12/99-PER dated 5-2-2004.

Whereas, Smt. Madhura V. Naik, was appointed as Probationer to the Junior Scale of Goa Civil Service, and

kept on probation for period of 2 years vide order dated 26-12-1997 cited at (i) above.

Whereas, D. P. C. held by the Goa Public Service Commission on 15-12-2003 did not find Smt. Madhura V. Naik, suitable and fit for satisfactory completion of the probation period and consequently also for confirmation.

Whereas, Smt. Madhura V. Naik, was therefore terminated and discharged from her services as Junior Scale Officer of Goa Civil Service by the Governor of Goa vide Order dated 5-2-2004, cited at (ii) above.

Whereas, Smt. Madhura V. Naik, filed Petition before the Government for review of the said termination Order dated 5-2-2004, vide her application dated 05-07-2005.

Whereas, the Government considered the request of Smt. Naik as a Special Case on humanitarian grounds by relaxing Rule 5 (2) of the Temporary Service Rules, 1965, subject to the condition that she shall not claim any Pay and Allowances for the period she was terminated from service till the date of her re-joining of the Junior Scale post of Goa Civil Service.

Whereas, Smt. Madhura V. Naik has submitted an undertaking, to the effect that she shall not claim any Pay and Allowances or any other Allowances for the period from 5-2-2004 till date of her rejoining the post on reinstatement/rejoining and that the Government need not pay her any such Pay and Allowances for that period.

Now, therefore, Governor of Goa is pleased to re-instate Smt. Madhura V. Naik in the post of Junior Scale of Goa Civil Service in the pay scale of Rs. 8000-275-13500 with immediate effect. Her re-instatement shall be treated as fresh appointment from the date of joining.

By order and in the name of the Governor of Goa.

Shivaji B. Dessai, Under Secretary (Personnel).

Porvorim, 18th August, 2006.

Order

No. 15/9/2003-PER

On the recommendation of the Goa Public Service Commission as conveyed vide its letter No. COM/11/12/42(2)/2003/231 dated 2nd August, 2006 the Governor of Goa pleased to declared Shri Agnelo A. Fernandes to have satisfactorily completed his probation period and confirm him in the grade of Mamlatdar/Joint Mamlatdar/Assistant Director of Civil Supplies with immediate effect.

By order and in the name of the Governor of Goa.

Shivaji B. Dessai, Under Secretary (Personnel).

Porvorim, 21st August, 2006.

Department of Public Health

Order

No. 11/8/87-I/PHD

Read:- Order No. 11/8/87-I/PHD/2001 dated 14-9-2001.

Sanction of the Government is hereby conveyed for revival of following 11 posts attached to Primary Health Centre, Cansarvarnem under Directorate of Health Services with immediate effect. The details are as under:-

Sr. No.	Designation	No. of posts	Pay scale
1	2	3	4
1.	MPHW (Male & Female)	2	Rs. 3050-4590
2.	Storekeeper cum LDC	1	Rs. 3050-4590
3.	Dresser	1	Rs. 2550-3200
4.	Attendant/Aya	5	Rs. 2550-3200
5.	Sweeper cum Scavenger	1	Rs. 2550-3200
6.	Driver	1	Rs. 3050-4590
		Total 11 posts	

The expenditure towards pay and allowances is debited to the Budget Head –

- 2210 – Medical & Public Health
- 03 – Rural Health Services
- 103 – Primary Health Centre
- 02 – Primary Health Centre (Plan)
- 01 – Salaries

This issues with the concurrence of Finance Department vide their U.O. No. Finance (Revenue & Control)/2064-F dated 9-8-2006.

By order and in the name of the Governor of Goa.

Jessie Freitas, Under Secretary (Health-II).

Porvorim, 16th August, 2006.

Order

No. 22/3/2000-I/PHD/PF.

Read: Order No. 22/3/2003-I/PHD/3758 dated 23-9-2005.

Government is pleased to extend the contractual appointment of Dr. Sandeep Fowkar, Sr. Orthopaedic Surgeon, Hospicio Hospital, Margao under Directorate of Health Services w.e.f. 4-10-2006 for a period of one year or till the post is filled on regular basis, whichever is earlier.

Dr. Sandeep Fowkar, shall be paid monthly emoluments of Rs. 18,500/- (Rupees Eighteen thousand five hundred only) per month. His appointment shall be subject to the terms and conditions contained in his earlier agreement executed by him with the Government.

By order and in the name of the Governor of Goa.

Jessie Freitas, Under Secretary (Health-II).

Porvorim, 17th August, 2006.

Department of Revenue

Notification

No. 23/9/2006-RD

Whereas it appears to the Government of Goa (hereinafter referred to as “the Government”) that the land specified in the Schedule hereto (hereinafter referred to as the “said land”) is likely to be needed for public purpose viz. Land Acquisition for the improvement and B/T of road from Parve to Mudkud via Betul (Additional Area) in V. P. Agonda, Canacona Taluka.

Now, therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the “said Act”) that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer, SIP, Gogol, Margao-Goa, to perform the functions of a Collector, South Goa District, Margao-Goa, under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao-Goa.
2. The Special Land Acquisition Officer, SIP, Gogol, Margao-Goa.
3. The Executive Engineer, WD-XXV (Roads), PWD, Fatorda, Margao-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Special Land Acquisition Officer, SIP, Gogol, Margao-Goa, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Canacona

Village: Agonda

Survey No./ /Sub. Div. No./	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
15 49 O:	1. Comunidade. 2. Vishwanath Katu Phal Dessai. 3. Babu Shiva Phal Dessai. 4. Devappa Bicaro Phal Dessai. 5. Raghoba Nilu Phal Dessai. 6. Putu Shiva Phal Dessai. 7. Uttam Vithoba Phal Dessai. 8. Upasso Raghoba Phal Dessai. 9. Yesso Bhikan Phal Dessai. 10. Babani Gurgur Phal Dessai. 11. Gurgur Sada Phal Dessai. 12. Suppulo Narayan Phal Dessai. 13. Chandrakant Shamba Phal Dessai. 14. Balsu Sada Phal Dessai. 15. Govind Devidas. 16. Mahadeo Datta Mudkudkar. 17. Fokodi Shanu Phal Dessai. 18. Laxman Yesso Phal Dessai. 19. Elentouri Hermargi Fernandes. 20. Govind Putu Phal Dessai. 21. Rajanikant Datta Mudkudkar. 22. Shivram Putu Phal Dessai. 23. Narayan Putu Phal Dessai. 24. Ganapati Putu Phal Dessai. 25. Saraspati Cust Phal Dessai. 26. Babu Ramchandra Phal Dessai. 27. Ratnakar Nilba Naik Gaunkar. 28. Dev Lakhmeshwar of Agonda.	380
OR:	1. Elentouri Hermargi Fernandes. 2. Kunda Kalu Devidas.	
18 30 O:	1. Shankar Raghunath Phal Dessai. 2. Fokdi Shanu Phal Dessai. 3. Balsu Sada Phal Dessai. 4. Upaso Raghoba Phal Dessai. 5. Putu Shiva Phal Dessai. 6. Yesso Bhikam Phal Dessai. 7. Pondu Shanu Phal Dessai.	1245

Boundaries:

East : S. No. 18/20 & 30.

West : S. No. 15/49.

1	2	3
	South : S. No. 15/49; 18/30.	
	North : S. No. 15/49; 18/30.	
		Total: 1,625

By order and in the name of the Governor of Goa.

V. S. N. Gaunekar, Under Secretary (Revenue).

Porvorim, 18th August, 2006.



Department of Water Resources

Office of the Chief Engineer

Order

No. 74-1-81/CE-WR/Adm.II/496

Government is pleased to transfer Shri Ramdas G. Gaonkar, Assistant Engineer from Sub-Div. II, Works Div. II, Water Resources Department, Sanguem to Sub-Div. I, Quality Control, Works Div. XI, Water Resources Department, Gogal-Margao, in the existing vacancy, for administrative reasons and with immediate effect.

No T.A./D.A. will be admissible to the above Officer, since this transfer is issued at his own request.

By order and in the name of the Governor of Goa.

S. T. Nadkarni, Chief Engineer (WR) & ex officio Additional Secretary.

Panaji, 18th August, 2006.

Order

No. 3/25-15/90/CE-WR/500

Read:- 1) This office order No. 3/25-15/90/CE-WR/310 dated 22-7-2005.

The deputation of Shri Ashok Kamatar, Executive Engineer in the Soil Conservation Division, Directorate of Agriculture, Panaji ordered vide this office order cited above, is further extended for one more year, i.e. upto 24-7-2007, on the same terms and conditions stipulated in Government O. M. No. 13-4-74-PER dated 12-2-1999 and as amended from time to time.

This order is issued with the approval of Government vide U. O. No./TPT/2197/F dated 11-8-2006.

By order and in the name of the Governor of Goa.

S. T. Nadkarni, Chief Engineer (WR) & ex officio Additional Secretary.

Panaji, 21st August, 2006.